

**City of Newburyport
Planning Board
November 18, 2015
Minutes**

The meeting was called to order at 7:04 PM.

1. Roll Call

In attendance: Sue Grolnic, Doug Locy, Leah McGavern, Jim McCarthy, Andrew Shapiro, Bonnie Sontag, and Don Walters

Absent: James Brugger and Noah Luskin

Director of Planning and Development, Andrew Port, was also present.

2. General Business

- a) The minutes of 11/4/2015 were approved as amended. Sue Grolnic made a motion to approve the minutes. Bonnie Sontag seconded the motion and six members voted in favor. Andrew Shapiro abstained.

Motion Approved.

During the course of discussion and consideration of this application, plan(s), supporting material(s), department head comments, peer review report(s), planning department comments and other related documents, all as filed with the planning department as part of this application and all of which are available in the planning department, were considered.

3. Old Business

- a) ***William Barrett
14 Hoyt's Lane
Definitive Subdivision (2015-DEF-02)
Continued from 10/7/2015***

Taylor Turbide, Millennium Engineering, Amesbury, on behalf of Tessaire, LLC, had not seen the comments from Christiansen & Sergi (CSI), although they had arrived. Previous comments had to do with drainage. Phil Christiansen adjusted some of the roadway grades to provide more separation from groundwater and raised the roadway. He also deepened the basin for over two feet of separation, added a spillway, and asked for a turnaround. An easement was added over a portion of the driveway for cars to turnaround so they would not back into the street. The spillway would empty along the demonstrated property line and flow onto Artichoke Terrace, where it currently flowed.

Chairman McCarthy asked where the bottom of the basin was compared to the floor elevation of the house. Mr. Turbide said there was a four-foot difference. A member asked if the height of the house was a concern. Chairman McCarthy said height concerns were primarily in the

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historic part of the City or the core of town where a structure above all others changed the streetscape. In a subdivision the board was basically creating a lot. Mr. Turbide said the house might be 6-8 inches higher. Chairman McCarthy said the board could attach conditions with a special permit. It was a tough site for a house. Mr. Turbide said the roadway largely dictated where the house would be sited and the private way would be maintained in perpetuity. Chairman McCarthy said the board had not formally received comments from CSI on the applicant's comments. Director Port would call to ask for the comments in advance of the next meeting. Mr. Turbide said the surety would be a Passbook Form. Members asked about the operations maintenance plan? Mr. Turbide said it had been submitted. Director Port would forward the plan tomorrow morning. Mr. Turbide said there were no homeowner's documents; responsibility was all on the owner of the first lot. Chairman McCarthy asked if subdivision regulations required the documents and Director Port said no, as long as everything was maintained.

Chairman McCarthy summarized. Outstanding were endorsing the plans, Mr. Christiansen's final approval, and the surety. The list of waivers included: 1) a 20-foot wide pavement instead of 24 feet; 2) a 30-foot wide right-of-way instead of 50 feet; 3) no sidewalks or curbing instead of granite curbing; 4) the property would be landscaped similar to abutting properties instead of street trees; 5) the property would be lit by landscaping and dwelling lighting instead of street lighting; 6) the proposed extension started with an angle from the existing alignment with no curve instead of a 225-foot radius of the centerline curve; 7) a 50-foot length of vertical curve instead of a 100-foot minimum length of vertical curve; and 8) no impervious surface for the express purpose of turning around instead of a cul de sac. Director Port said waiver language would change to include a minimum of 2.5 caliper for trees planted on the property.

Don Walters made a motion to approve the definitive subdivision and all waivers. Doug Locy seconded and all members voted in favor.

Motion Approved.

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4. New Business

***b) East Row Condominium Trust c/o L&M Properties
12-22 Market Square, 1-2 Elbow Lane, and 1-11 Liberty Street
DOD Special Permit***

Chairman McCarthy read the notice and said different ways of treating the water had been discussed. There had been dissension on the Board of Trustees decision and an attorney was involved. More time was needed for Trust members to resolve the issues of working on the brick versus of covering it up. Sarah White, Chair, Newburyport Historical Commission, had told

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Chairman McCarthy that regarding protecting the integrity of structures downtown, the special permit was the board's to issue. The applicant would return to explain the process of considering the alternatives. Director Port said it was not a significant issue for the public because the brickwork would be on the backside of the building. Members said the proposed solution should do no further damage to the brick. In previous conversation with Chairman McCarthy, Ms. White had said if the damaged brick had been on the front part of the building, a completely different solution would have been considered. Members asked if the stucco process was normally used. Director Port replied the process had been used on portions of some buildings. The end of the building to be worked on was all that remained of the original exposed brick; the rest had already been clad. Members said aesthetics were important. Spider web cracks appearing 10 years from now would look bad, even if they did not let in water. Chairman McCarthy said Ms. White described the brick as very mixed.

Doug Locy made a motion to continue to December 2nd. Bonnie Sontag seconded and all members voted in favor.

Motion Approved.

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**c) John Sava for IAS, LTD
17 Henry Graf Jr. Road
Request for Minor Modification**

John Sava, Sava Architects, 141 Bridge Road, Salisbury, represented the Harris's in Topsfield. Everything was previously approved, but there was a problem with the building design. The site plan and footprint had not changed. The front of the building was still an office and the mezzanine back was still a warehouse. The previous flat roof would have created problems resulting from water and snow. A new roof design was larger and quite steep. The overall design was similar to an older barn complex with a contemporary touch. The building had been turned. The corporate headquarters had a bottom band of horizontal metal siding along the base of the building. The top of the building, similar to a barn red, was rusted metal siding that formed a protective coating. Mr. Sava showed renderings of the building, elevations, and the floor plan.

Members asked when the site plan was approved. Director Port said in July 2011. Chairman McCarthy asked to see the 2011 elevations. Members asked if the entrance or visitor parking had changed. Mr. Sava said no, except one or two parking spaces had moved closer to the building. Chairman McCarthy asked if stormwater calculations and lighting were the same. Mr. Sava said yes. Members asked if there was an opportunity for input on the building. Director Port said with the new zoning rewrite, the board would have more standards for architecture in the business park, but not today. Chairman McCarthy said the context of location was important; the building was not downtown. Members said there was no need to re-advertise. Director Port

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would prepare a Certificate of Vote that enumerated the new elevations to note that the Site Plan Review has been modified to formalize this evening's vote. Chairman McCarthy asked if the color used in the rendering was indicative. Mr. Sava said yes.

Don Walters made a motion to approve the minor modification. Leah McGavern seconded and all members voted in favor.

Motion Approved.

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5. Planning Office/Subcommittees/Discussion

a) Updates

The meeting for December 16th would be brief, with one continued item on the agenda that could not be moved without re-noticing.

Section XI.C, section 11 rewrite concepts were discussed. A pre-submission draft of MINCO's 40R project was shown.

6. Adjournment

Don Walters made a motion to adjourn. Andrew Shapiro seconded the motion and all members voted in favor.

The meeting adjourned at 9:17 PM.

Respectfully submitted -- Linda Guthrie